

PLANNING AND ZONING COMMISSION
STAFF REPORT

August 6, 2015



Rezoning case no. RZ15-15: SF Business Investments, LLC.

CASE DESCRIPTION: a request to change the zoning classification from Agricultural – Open District (A-O) to Commercial District 3 (C-3)

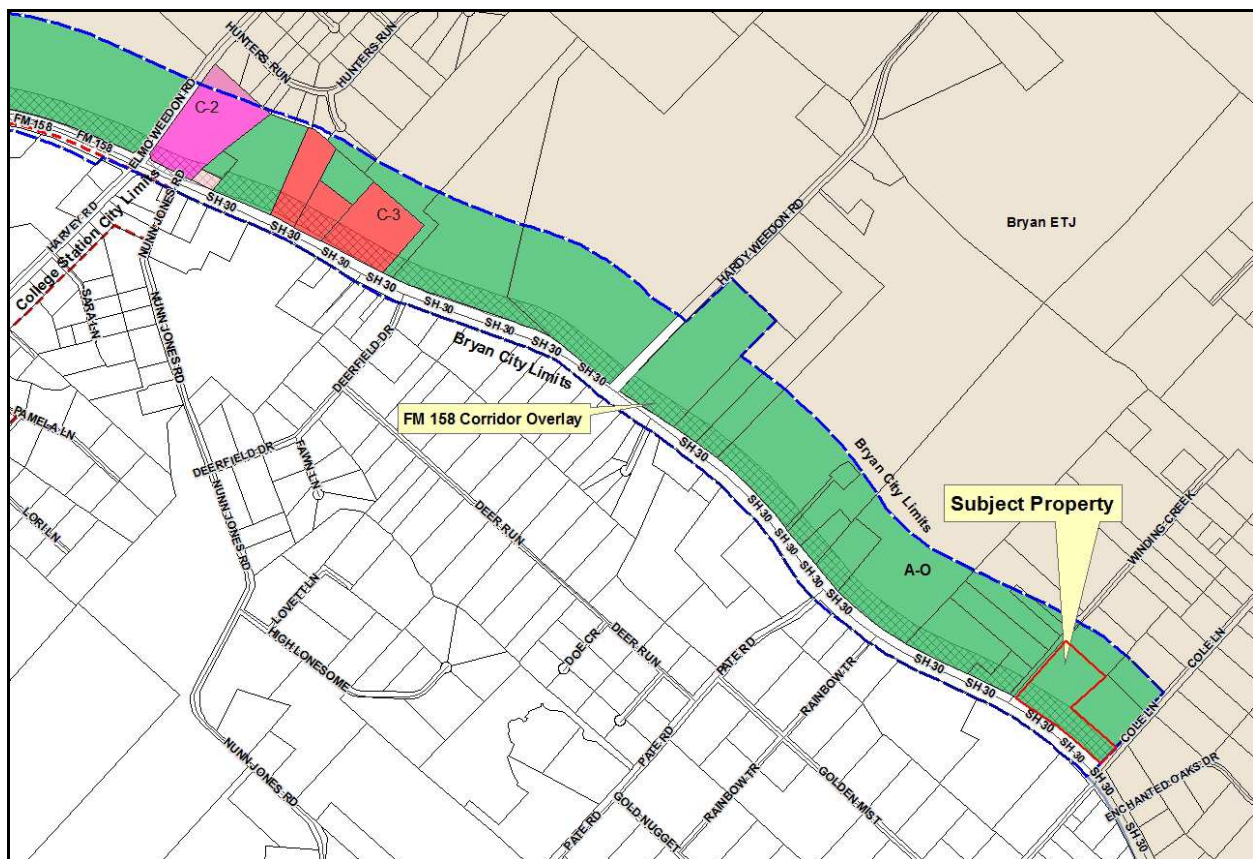
LOCATION: 9.76 acres of land out of Maria Kegan Survey, and adjoining the northeast side of State Highway 30 between Winding Creek Road (private road) and Cole Lane

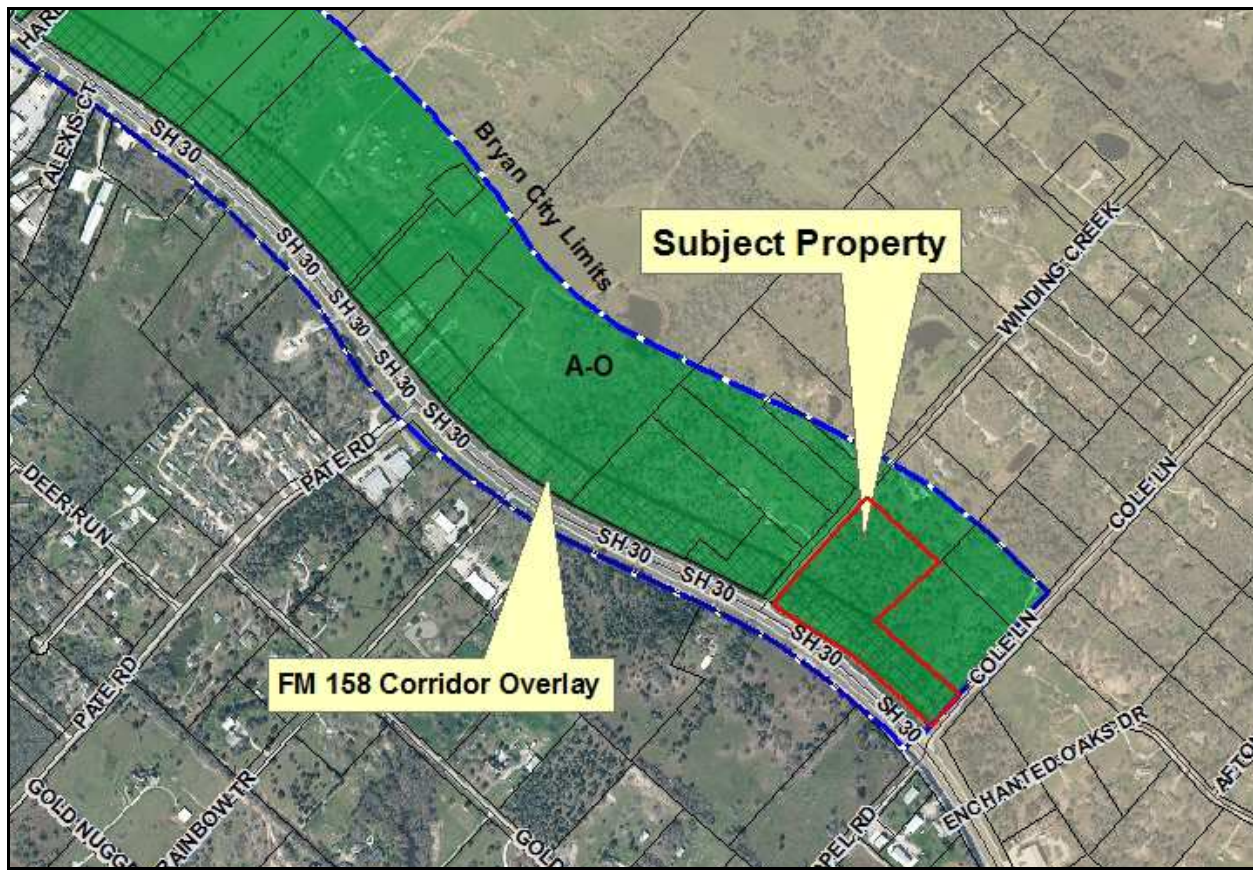
EXISTING LAND USE: vacant acreage

APPLICANT(S): SF Business Investments, LLC

STAFF CONTACT: Matthew Hilgemeier, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.





BACKGROUND:

The subject property is 9.76 acres in size and is located on the north side of State Highway 30, east of Winding Creek Road and west of Cole Lane. The subject property is currently zoned Agricultural – Open District (A-O) and is undeveloped at this time. The adjacent properties to the southeast are also zoned A-O District and are undeveloped at this time. A single-family home exists on the adjacent property to the northeast and is zoned A-O District.

Adjacent properties across State Highway 30, across Cole Lane, and north of the property are located outside of the city limits (located either in the City of College Station's or the City of Bryan's ETJ) and are therefore not regulated by Bryan's zoning regulations. Several properties located along State Highway 30 have developed with commercial businesses in recent years in the City of Bryan as well as in the City of College Station's ETJ. Across State Highway 30 from the subject property current land uses include, commercial businesses such as R.M. Dudley Construction Company, Honig's Whistle Stop (Retail – Custom Athletic Apparel), undeveloped land and one single-family home. Additionally, further west along State Highway 30 in the College Station's ETJ there are multiple existing properties lining the road that are occupied by commercial businesses such as flooring and engineering companies, feed and furniture stores.

The subject property has been zoned A-O District since its annexation into the City of Bryan in July 1999. A portion of the subject property is located in the FM 158 Corridor Overlay District which was adopted in 2004. The district requires higher development standards such as 75% non-metallic structures, the screening of utility equipment, and open storage is prohibited. The purpose of the district is to exercise

greater control over the aesthetic and functional characteristics of development along major thoroughfares, which serve as major entrances to the community where higher development standards can effectively enhance the city's image as a desirable place to live, work, and shop. The district is also located along one of the corridors where the City's building design guidelines and commercial color palette apply.

The applicant, Frank Rajan of SF Business Investments, LLC, has requested to change the zoning of these 9.76 acres to Commercial District (C-3), to accommodate planned development of a new truck stop, including a C-Store with diesel fueling facilities, at this location. The request to rezone the property from A-O District to C-3 District, if approved, would not affect the property's FM 158 Corridor Overlay District designation.

The A-O zoning district is intended to provide a location for principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may become an urban area in the future. The C-3 zoning classification is intended to provide development opportunities for commercial service uses including heavy retail and commercial use which typically have operating characteristics or traffic service requirements of retail or shopping.

COMPREHENSIVE PLAN:

The City of Bryan adopted the Comprehensive Plan Update in 2007. The plan is the framework for the establishment of zoning and other regulatory tools. The plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. Among the goals supported by the policies are the development of attractive entrances and corridors by encouraging and promoting compatible infill and development in areas where these activities will benefit the city as a whole and the area specifically. One of the plan's objectives is to encourage a sustainable mix of land use types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning. The Comprehensive Plan also suggests that commercial uses are appropriate at points of high visibility along arterial and major collector streets and at intersection of major streets.

CURRENT CONDITIONS STREET VIEW:



looking southeast from Winding Creek Road onto subject property



**looking northwest from Cole Lane at subject property;
State Highway 30 is to the left of the property**

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors in accordance with Zoning Ordinance Section 130-42(g).

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to general area and the City as a whole.

Staff believes that rezoning the property to C-3 District will be compatible with anticipated future and current development in this vicinity and in conformance with the land use recommendations of the Comprehensive Plan. The subject property is located along both an arterial and major collector road, State Highway 30 and Cole Lane, respectively, and is at the entrance of the City of Bryan city limits. Rezoning the subject property to C-3 District will support the orderly urban growth in this vicinity by encouraging future quality commercial development along one of the City's major entrance corridors.

The subject property is located within the FM 158 Corridor Overlay District, an area intended for commercial businesses to develop vacant land located on the edge of urban development. To the northeast, the subject property borders a property zoned A-O District with an existing single-family home. This residential home is located approximately 190+ feet from the subject property and is separated from any future commercial development on the subject property by brush and trees on that property. The remaining surrounding properties are either vacant land or are separated from the subject property by roadways, including a private road (Winding Creek Road), Cole Lane, and State Highway 30. Staff believes that the proposed rezoning from A-O District to C-3 District on these 9.76 acres will allow for orderly urban growth at this particular location relative to its relationship with the surrounding area and adjacent properties.

2. Whether there is availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use.

Per Bryan's Thoroughfare Plan, the subject property adjoins State Highway 30, which is classified as a super arterial street. The subject property also adjoins Cole Lane, which is classified as major collector street but only currently improved as a rural roadway (28-foot pavement width, bar ditches on either side). State Highway 30 (85-foot wide with 165-foot Right of Way) can reasonably be expected to be capable of accommodating traffic loads typically associated with commercial development, including a truck stop, at this location. Cole Lane will most likely require additional improvements to handle traffic loads associated with commercial traffic. Transportation capacity is generally addressed during the site plan approval process. Water services for any development at this location will be provided by the Wickson Creek Special Utility District. The property is proposed to be subdivided into lots capable of utilizing private aerobic (on-site septic) sewer systems.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

A cluster of C-3 zoning is located approximately 1.5 miles northwest of the subject property, along the north side of State Highway 30 between Elmo Weedon and Hardy Weedon Roads. Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that commercial developments are developing at an average to slow pace in this vicinity and elsewhere in the City.

5. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

Should the rezoning request be approved, staff contends that there will be few, if any, effects on other areas designated for commercial development. Many of the adjoining properties in the vicinity are currently vacant available for future urban development.

6. Any other factors which will substantially affect the health, safety, morals, or general welfare.

Staff contends that approving the rezoning request will allow for orderly development in accordance with the land use recommendations of the Comprehensive Plan, and provide for commercial development opportunities at an appropriate, highly-visible location, along one of the City's entrance corridors.

RECOMMENDATION:

Based on all of these considerations, staff recommends **approving** the proposed C-3 District, as requested, on these 9.76 acres of currently vacant land.